

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD WEINSTEIN,

Plaintiff,

v.

ROBERT L KIRKMAN, et al.,

Defendants,

and

ONCOTHYREON INC.,

Nominal Defendant.

JUDGMENT IN A CIVIL CASE

CASE NO. C13-0769-JCC

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

Oncothyreon's motion to dismiss (Dkt. No. 13) is GRANTED. Plaintiff has provided the Court with no basis to conclude that its demand allegations could be saved by amendment. Accordingly, Plaintiff's amended complaint (Dkt. No. 11) is DISMISSED with prejudice and without leave to amend. The Clerk is respectfully directed to CLOSE this case.

DATED this 16th day of September 2013.

WILLIAM M. MCCOOL
Clerk

/s/ Tim Farrell
Deputy Clerk